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December 20, 2002

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By Overnight Delivery

Office of General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

Attention: Kim C. Stevenson  
Central Enforcement Docket

Re: MUR 5333  
John Swallow for Congress, Inc.;  
Stanley R. deWaal, Treasurer

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

2002 DEC 23 P 12:45

Dear Madam or Sir:

This is written with reference to the letter from Jeff S. Jordan, Esq. to Stanley R. deWaal, Treasurer of John Swallow for Congress, Inc., dated November 21, 2002, relative to a complaint you numbered 5333.

By letter dated December 3, 2002, we filed a Statement of Designation of Counsel which designated the undersigned as counsel to John Swallow for Congress, Inc. and Stanley R. deWaal, its treasurer, in this matter; and we requested an extension until December 23, 2002 within which to submit legal and factual materials to demonstrate the Commission should take no action on this matter. By letter dated December 12, 2002, we were informed the Office of General Counsel granted our extension request.

In his complaint to the Federal Election Commission in this matter, Mr. Scott Clayton listed the names of forty-six individuals who, the complainant alleged, contributed in excess of \$1,000 to John Swallow for Congress, Inc. during the 2002 election cycle. Of those forty-six individuals, the complainant alleged that ten of them were minors and that those ten contributions were made "in order to mislead and circumvent individual contribution limits." We submit, and will demonstrate in this letter, that an individual could contribute a maximum of \$3,000 to John Swallow for Congress, Inc. in the 2002 election cycle, that the contributions at issue in this matter were all lawful as to limit, and that the

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contributions from those the complainant alleged to be minors were paid from those individuals' personal funds.

John Swallow for Congress, Inc. was the principal campaign committee of John Swallow, a candidate for election in the November, 2002 general election to the United States House of Representatives from the Second Congressional District of Utah. Before securing the nomination of his party, Mr. Swallow was one of several candidates at his party's primary convention which was held on May 11, 2002. Mr. Swallow was not selected at the May 11, 2002 convention to be his party's nominee in the general election, but he did receive enough votes to run in the ensuing primary election which was held on June 25, 2002. Mr. Swallow succeeded in gaining the greatest number of votes in the June 25, 2002 primary election and, as a result, he then became his party's nominee and he was a candidate in the November 5, 2002 general election.

The Federal Election Commission has previously determined that a Utah party convention is an "election" as defined by 2 U.S.C. §431(a)(2), thus permitting an individual to make a contribution to a candidate (or authorized political committee of the candidate), in respect of the convention, which does not exceed \$1,000. See, Advisory Opinion 1978-30 and Advisory Opinion 1992-15. Further, the Commission has determined that, if a candidate at a Utah party convention does not secure the party's nomination at the convention, but does secure sufficient votes to run in the primary election, the candidate or his authorized committee may accept contributions under a separate limit for the primary election; and if that candidate receives his party's nomination in the primary, a separate limit will apply for the general election. Advisory Opinion 1978-30, 1986-21 and 1992-25. As a result of the foregoing, because Mr. Swallow was involved as a candidate in the May 11, 2002 convention, the June 25, 2002 primary election, and the November 5, 2002 general election, an individual could make three \$1,000 contributions to John Swallow for Congress, Inc.

As a general rule, a contribution not designated in writing by the contributor for a particular election counts against the donor's limit for the next election held after the contribution is made. 11 C.F.R. §110.1(b)(2)(ii). On the other hand, if a contributor designates his or her contribution in writing for a particular election, the contribution counts against the donor's limit for the designated election, 11 C.F.R. §110.1(b)(2)(i); but, if made after the designated election, the contribution can be made only to the extent the contribution made does not exceed net debts outstanding from such election. 11 C.F.R. §110.1(b)(3)(i).

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When a political committee receives an excessive contribution--one which exceeds the donor's limit or the campaign's net debts outstanding--the committee has the option of asking the contributor to redesignate or reattribute the contribution. This process permits the contributor to remedy the apparent excessive portion so the campaign may legally accept it. A contribution can be redesignated so that it counts against the donor's limit for a different election, 11 C.F.R. §110.1(b)(5); or a contribution can be reattributed to joint contributors so that it counts against the reattributed donors' contribution limits. 11 C.F.R. §110.1(k)(3)(i).

The following alphabetical list of the forty-six individuals identified in the complaint, together with the documents at the correspondingly numbered tabs in the enclosed binder, show that all their contributions were within the lawful limits, were in appropriate cases properly redesignated or reattributed, and were made from the contributors' personal funds.

- (1) Allen, Dell K. Mr. Allen contributed \$3,000 before the May 11, 2002 convention. Thus, \$1,000 of that amount was automatically attributed to the convention. He then designated in writing \$1,000 of that contribution for the primary election account and the balance of that contribution for the general election account. See Mr. Allen's written redesignation at Tab 1 in the accompanying binder.
- (2) Barrus, Roger. Mr. Barrus contributed \$1,000 on May 9, 2002 (before the convention); \$200 on June 20, 2002 (before the primary); and \$100 on October 4, 2002 (before the general election). See the Committee's contribution receipt log at Tab 2.
- (3) Bradley, W.R. Mr. Bradley contributed \$1,000 on December 14, 2001 which he designated on his check for the convention account; and a separate \$1,000 on December 14, 2001 which he designated on his check for the general election account. See copies of Mr. Bradley's checks at Tab 3.
- (4) Bybee, Evan. Winter Fox, LLC submitted a \$5,000 check dated March 28, 2002 (before the convention) and a \$5,000 check dated June 28, 2002 (before the general election). Both checks bore written attributions of the contribution to Evan, Nicial, Taige, and Tamra Bybee and Kara Davis in the amount of \$1,000 each. Evan Bybee signed and submitted to the Committee a statement that the contribution allocated to him came from his personal funds. Thus, Mr. Bybee contributed \$1,000 on March 28, 2002 before the May 11, 2002 convention; and \$1,000

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on June 28, 2002 before the general election. See copies of the checks and Mr. Bybee's confirmation these were his personal funds at Tab 4.

- (5) Bybee, Nicial. Winter Fox, LLC submitted a \$5,000 check dated March 28, 2002 (before the convention) and a \$5,000 check dated June 28, 2002 (before the general election). Both checks bore written attributions of the contribution to Evan, Nicial, Taige, and Tamra Bybee and Kara Davis in the amount of \$1,000 each. Nicial Bybee signed and submitted to the Committee a statement that the contribution allocated to her came from her personal funds. Thus, Ms. Bybee contributed \$1,000 on March 28, 2002 before the May 11, 2002 convention; and \$1,000 on June 28, 2002 before the general election. See copies of the checks and Ms. Bybee's confirmation these were her personal funds at Tab 5.
- (6) Bybee, Taige. Winter Fox, LLC submitted a \$5,000 check dated March 28, 2002 (before the convention) and a \$5,000 check dated June 28, 2002 (before the general election). Both checks bore written attributions of the contribution to Evan, Nicial, Taige, and Tamra Bybee and Kara Davis in the amount of \$1,000 each. Taige Bybee signed and submitted to the Committee a statement that the contribution allocated to her came from her personal funds. Thus, Ms. Bybee contributed \$1,000 on March 28, 2002 before the May 11, 2002 convention; and \$1,000 on June 28, 2002 before the general election. See copies of the checks and Ms. Bybee's confirmation these were her personal funds at Tab 6.
- (7) Bybee, Tamra. Winter Fox, LLC submitted a \$5,000 check dated March 28, 2002 (before the convention) and a \$5,000 check dated June 28, 2002 (before the general election). Both checks bore written attributions of the contribution to Evan, Nicial, Taige, and Tamra Bybee and Kara Davis in the amount of \$1,000 each. Tamra Bybee signed and submitted to the Committee a statement that the contribution allocated to her came from her personal funds. Thus, Ms. Bybee contributed \$1,000 on March 28, 2002 before the May 11, 2002 convention; and \$1,000 on June 28, 2002 before the general election. See copies of the checks and Ms. Bybee's confirmation these were her personal funds at Tab 7.
- (8) Campbell, Danica M. Ms. Campbell contributed \$1,000 on December 14, 2001 which she designated on her check for the convention account; and a separate \$1,000 on December 14, 2001 which she designated on her check for the general election account. See copies of the checks at Tab 8.

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- (9) Christensen, Lavar. Mr. Christensen contributed \$2,000 on December 12, 2001. Of that amount, \$1,000 was re-attributed in writing on December 19, 2001 as a contribution from his spouse, Susan K. Christensen. See copy of the re-attribution signed by Mr. and Mrs. Christensen at Tab 9.
  - (10) Eastman, Fonda L. Ms. Eastman contributed \$2,000 on December 26, 2001. Of that amount, \$1,000 was re-attributed in writing on January 10, 2002 as a contribution from her spouse, Vaughan G. Eastman. See copy of the re-attribution signed by Mr. and Mrs. Eastman at Tab 10.
  - (11) Ellis, Michael. Mr. Ellis contributed \$1,000 on December 17, 2001 which he designated on his check for the convention account; and a separate \$1,000 on December 17, 2001 which he designated on his check for the general election account. See copies of Mr. Ellis's checks at Tab 11.
  - (12) Ellis, Monica. Ms. Ellis contributed \$1,000 on December 17, 2001 which she designated on her check for the convention account; and a separate \$1,000 on December 17, 2001 which she designated on her check for the general election account. See copies of Ms. Ellis's checks at Tab 12.
  - (13) Facer, Brent. Mr. Facer contributed \$1,000 on March 31, 2002 (before the convention); \$1,000 on June 5, 2002 (before the primary election); and \$1,000 on August 28, 2002 (before the general election). See copies of the checks and Mr. Facer's signed confirmation the contributions were made from his personal funds at Tab 13.
  - (14) Facer, Britta Lynn. Ms. Facer contributed \$1,000 on March 31, 2002 (before the convention); \$1,000 on June 5, 2002 (before the primary election); and \$1,000 on August 27, 2002 (before the general election). See copies of the checks signed by Britta Lynn Facer at Tab 14.
  - (15) Facer, Corby B. Mr. Facer contributed \$1,000 on March 31, 2002 (before the convention); \$1,000 on June 5, 2002 (before the primary election); and \$1,000 on September 13, 2002 (before the general election). See copies of the checks signed by Corby B. Facer at Tab 15.
  - (16) Facer, Jillyn. Ms. Facer contributed \$1,000 on March 31, 2002 (before the convention); \$1,000 on June 5, 2002 (before the primary election); and \$1,000 on August 27, 2002 (before the general election). See copies of the checks signed by Jillyn Facer at Tab 16.

- (17) Facer, Rebecca. Ms. Facer contributed \$1,000 on March 31, 2002 (before the convention); \$1,000 on June 5, 2002 (before the primary election); and \$1,000 on September 10, 2002 (before the general election). See copies of the checks signed by Rebecca Facer at Tab 17.
- (18) Facer, Rily Todd. Mr. Facer contributed \$1,000 on March 31, 2002 (before the convention); \$1,000 on June 5, 2002 (before the primary election); and \$1,000 on August 27, 2002 (before the general election). See copies of the checks signed by Rily Todd Facer at Tab 18.
- (19) Facer, Tyson. Mr. Facer contributed \$1,000 on March 30, 2002 (before the convention); \$1,000 on June 5, 2002 (before the primary); and \$1,000 on August 27, 2002 (before the general election). See copies of the checks, which bear attributions to Tyson Facer, at Tab 19.
- (20) Fraser, James R. Mr. Fraser contributed \$2,000 on December 26, 2001 on which he attributed the contribution to himself and he designated \$1,000 of that amount for the convention and the remaining \$1,000 for the primary campaign account. On December 26, 2001, Mr. Fraser delivered a second \$2,000 check to the Committee. On that second check, Mr. Fraser attributed that contribution to his spouse, Sharon E. Fraser, and designated \$1,000 for the convention and \$1,000 for the primary campaign account. That attribution of \$2,000 to Sharon E. Fraser, and the designation to the two election cycles, was confirmed in a writing signed by Mr. and Mrs. Fraser. On July 29, 2002, Mr. Fraser contributed \$1,000 to the general election account. Thus, James R. Fraser contributed \$1,000 on December 26, 2001 for the convention; \$1,000 which he designated for the primary election account; and \$1,000 on July 29, 2002 for the general election account. See copies of the checks, the written attribution and the Committee's contribution receipt log at Tab 20.
- (21) Fraser, Sharon E. On December 26, 2001, the Committee received a \$2,000 check signed by James R. Fraser. Mr. Fraser wrote on that check that \$1,000 was designated for the convention and \$1,000 was designated for the primary election account; and he wrote that the contribution was attributable to his spouse, Sharon E. Fraser. That designation and attribution was confirmed in a writing signed by Sharon E. Fraser. Mrs. Fraser also contributed \$1,000 on July 29, 2002 for the general election account. See copies of the check, the written attribution and the Committee's contribution receipt log at Tab 21.

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- (22) Gay, Bodee. On March 29, 2002, the Committee received a \$4,000 check from Winterhawk Enterprises. The check stated that that sum was to be attributed as contributions from Bodee, Dennis, Gina, and Kim Gay. On April 15, 2002, the Committee received written confirmation, signed by Bodee Gay, confirming the contribution came from his personal funds. On June 21, 2002, the Committee received a \$5,000 check from Winterhawk Enterprises. That check stated that that sum was to be attributed to Bodee, Dennis, Gina, Haley, and Kim Gay. The Committee again obtained written confirmation, signed by Bodee Gay, confirming the contribution came from his personal funds. Thus, Mr. Gay contributed \$1,000 in April, 2002 (before the convention) and \$1,000 in June, 2002 (before the primary election). See copies of the checks and the confirmations signed by Bodee Gay at Tab 22.
- (23) Gay, Dennis. On March 29, 2002, the Committee received a \$4,000 check from Winterhawk Enterprises. The check stated that that sum was to be attributed as contributions from Bodee, Dennis, Gina, and Kim Gay. On April 15, 2002, the Committee received written confirmation, signed by Dennis Gay, confirming the contribution came from his personal funds. On June 21, 2002, the Committee received a \$5,000 check from Winterhawk Enterprises. That check stated that that sum was to be attributed to Bodee, Dennis, Gina, Haley, and Kim Gay. The Committee again obtained written confirmation, signed by Dennis Gay, confirming the contribution came from his personal funds. Thus, Mr. Gay contributed \$1,000 in April, 2002 (before the convention) and \$1,000 in June, 2002 (before the primary election). See copies of the checks and the confirmations signed by Dennis Gay at Tab 23.
- (24) Gay, Gina. On March 29, 2002, the Committee received a \$4,000 check from Winterhawk Enterprises. The check stated that that sum was to be attributed as contributions from Bodee, Dennis, Gina, and Kim Gay. On April 15, 2002, the Committee received written confirmation, signed by Gina Gay, confirming the contribution came from her personal funds. On June 21, 2002, the Committee received a \$5,000 check from Winterhawk Enterprises. That check stated that that sum was to be attributed to Bodee, Dennis, Gina, Haley, and Kim Gay. The Committee again obtained written confirmation, signed by Gina Gay, confirming the contribution came from her personal funds. Thus, Ms. Gay contributed \$1,000 in April, 2002 (before the convention) and \$1,000 in June, 2002 (before the primary election). See copies of the checks and the confirmations signed by Gina Gay at Tab 24.

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- (25) Gay, Kim. On March 29, 2002, the Committee received a \$4,000 check from Winterhawk Enterprises. The check stated that that sum was to be attributed as contributions from Bodee, Dennis, Gina, and Kim Gay. On April 15, 2002, the Committee received written confirmation, signed by Kim Gay, confirming the contribution came from her personal funds. On June 21, 2002, the Committee received a \$5,000 check from Winterhawk Enterprises. That check stated that that sum was to be attributed to Bodee, Dennis, Gina, Haley, and Kim Gay. The Committee again obtained written confirmation, signed by the Kim Gay, confirming the contribution came from her personal funds. Thus, Ms. Gay contributed \$1,000 in April, 2002 (before the convention) and \$1,000 in June, 2002 (before the primary election). See copies of the checks and the confirmations signed by Kim Gay at Tab 25.
- (26) Harmer, John L. Mr. Harmer contributed \$1,000 on March 31, 2002 (before the convention) and \$1,000 on May 23, 2002 (before the primary election). See copy of the Committee's contribution receipt log at Tab 26.
- (27) Iverson, Victor. Mr. and Mrs. Iverson submitted two \$1,000 checks in March, 2002, both drawn on their joint account. One check stated the contribution was attributable to Victor Iverson; the second check stated the contribution was attributable to Audrey Iverson. See copies of the checks at Tab 27.
- (28) Jonas, Charlotte. After the convention, but before the primary election, Ms. Jonas contributed \$2,000, of which \$1,000 was re-designated by her in writing to the convention campaign account and \$1,000 was designated in writing to the primary election account. This designation was made after the May 11, 2002 convention, but the Committee had net debts remaining after the convention. See copy of Ms. Jonas's signed redesignation and a copy of the Committee's convention campaign debt schedule at Tab 28.
- (29) Jonas, W. James. After the convention, but before the primary election, Mr. Jonas contributed \$3,000, of which \$1,000 was redesignated by him in writing to the convention campaign account; \$1,000 was designated in writing to the primary election account; and \$1,000 was designated in writing to the general election account. This designation was made after the May 11, 2002 convention, but the Committee had net debts remaining after the convention. See copy of Mr. Jonas's signed redesignation and a copy of the Committee's convention campaign debt schedule at Tab 29.



- (30) Lichfield, LeNae. Ms. Lichfield contributed \$3,000 on January 19, 2002 and designated on the check that \$1,000 was designated for the convention; \$1,000 was designated for the primary election account; and \$1,000 was designated for the general election account. LeNae Lichfield signed a confirmation that the contribution was from her personal funds. See a copy of the check and of Ms. Lichfield's confirmation at Tab 30.
- (31) Lichfield, Loni. Ms. Lichfield contributed \$3,000 on January 19, 2002 and designated on the check that \$1,000 was designated for the convention; \$1,000 was designated for the primary election account; and \$1,000 was designated for the general election account. Loni Lichfield signed a confirmation that the contribution was from her personal funds. See a copy of the check and of Ms. Lichfield's confirmation at Tab 31.
- (32) Lichfield, Lyndee. Ms. Lichfield contributed \$3,000 on January 19, 2002 and designated on the check that \$1,000 was designated for the convention; \$1,000 was designated for the primary election account; and \$1,000 was designated for the general election account. Lyndee Lichfield signed a confirmation that the contribution was from her personal funds. See a copy of the check and of Ms. Lichfield's confirmation at Tab 32.
- (33) Lichfield, Patricia. Ms. Lichfield contributed \$3,000 on January 19, 2002 and designated on the check that \$1,000 was designated for the convention; \$1,000 was designated for the primary election account; and \$1,000 was designated for the general election account. Patricia Lichfield signed a confirmation that the contribution was from her personal funds. See a copy of the check and of Ms. Lichfield's confirmation at Tab 33.
- (34) Lichfield, Reagan. Ms. Lichfield contributed \$3,000 on January 19, 2002 and designated on the check that \$1,000 was designated for the convention; \$1,000 was designated for the primary election account; and \$1,000 was designated for the general election account. Reagan Lichfield signed a confirmation that the contribution was from her personal funds. See a copy of the check and of Ms. Lichfield's confirmation at Tab 34.
- (35) Lichfield, Robbie. Mr. Lichfield contributed \$3,000 on January 19, 2002 and designated on the check that \$1,000 was designated for the convention; \$1,000 was designated for the

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primary election account; and \$1,000 was designated for the general election account. Robbie Lichfield signed a confirmation that the contribution was from his personal funds. See a copy of the check and of Mr. Lichfield's confirmation at Tab 35.

- (36) Lichfield, Robert B. Mr. Lichfield contributed \$3,000 on January 19, 2002 and designated on the check that \$1,000 was designated for the convention; \$1,000 was designated for the primary election account; and \$1,000 was designated for the general election account. Robert B. Lichfield signed a confirmation that the contribution was from his personal funds. See a copy of the check and of Mr. Lichfield's confirmation at Tab 36.
- (37) Lichfield, Roger. Mr. Lichfield contributed \$3,000 on January 19, 2002 and designated on the check that \$1,000 was designated for the convention; \$1,000 was designated for the primary election account; and \$1,000 was designated for the general election account. Roger Lichfield signed a confirmation that the contribution was from his personal funds. See a copy of the check and of Mr. Lichfield's confirmation at Tab 37.
- (38) Lichfield, Stephanie. Ms. Lichfield contributed \$3,000 on January 19, 2002 and designated on the check that \$1,000 was designated for the convention; \$1,000 was designated for the primary election account; and \$1,000 was designated for the general election account. Stephanie Lichfield signed a confirmation that the contribution was from her personal funds. See a copy of the check and of Ms. Lichfield's confirmation at Tab 38.
- (39) Lichfield, Tavia. Ms. Lichfield contributed \$3,000 on January 19, 2002 and designated on the check that \$1,000 was designated for the convention; \$1,000 was designated for the primary election account; and \$1,000 was designated for the general election account. Tavia Lichfield signed a confirmation that the contribution was from her personal funds. See a copy of the check and of Ms. Lichfield's confirmation at Tab 39.
- (40) Miller, Larry E. Mr. Miller contributed \$1,000 on December 17, 2001 which he designated on his check for the convention account; and a separate \$1,000 on December 17, 2001 which he designated on his check for the general election account. See copies of the checks signed by Mr. Miller at Tab 40.

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- (41) Pelo, Bradley D. Mr. Pelo contributed \$2,000 on November 21, 2001. Of that amount, \$1,000 was reattributed in writing to his spouse, Melody Pelo. On December 26, 2001, Mr. Pelo contributed an additional \$2,000 and he designated on his check that that contribution was to be divided between "cycle 2," e.g., the primary election, and "cycle 3," e.g., the general election. See copies of the checks and of the written reattribution signed by Bradley and Melody Pelo at Tab 41.
  - (42) Pelo, Melody A. Ms. Pelo contributed \$1,000 on December 19, 2001 as a result of the written reattribution of the contribution from her spouse, Bradley D. Pelo. On December 26, 2001, Ms. Pelo contributed an additional \$2,000 and she designated on her check that that contribution was to be divided between "cycle 2," e.g., the primary election, and "cycle 3," e.g., the general election. See copies of the written reattribution of a portion of Mr. Pelo's contribution and of Mrs. Pelo's check at Tab 42.
  - (43) Robinson, Mandi K. Ms. Robinson contributed \$1,000 on March 31, 2002 (before the convention); \$1,000 on June 5, 2002 (before the primary election); and \$1,000 on August 27, 2002 (before the general election). See a copy of the Committee's contribution receipt log at Tab 43.
  - (44) Stay, Timothy V. Mr. Stay contributed \$2,000 on December 31, 2001. Of that amount, \$1,000 was reattributed in writing to his spouse, Dalita Stay. Mr. Stay contributed an additional \$1,000 on July 5, 2002 (before the general election). See a copy of the check, of the written reattribution signed by Mr. and Mrs. Stay, and of the Committee's contribution receipt log at Tab 44.
  - (45) Swallow, Donna. Ms. Swallow contributed \$2,000 on December 26, 2001. Of that amount, \$1,000 was reattributed in writing to her spouse, Richard B. Swallow. See a copy of the written reattribution signed by Donna and Richard Swallow at Tab 45.
  - (46) Whitman, Robert A. Mr. Whitman contributed \$2,000 to the Committee on June 21, 2002, of which \$1,000 was reattributed in writing to his spouse, Wendy Whitman. See, a copy of the written reattribution signed by Robert and Wendy Whitman at Tab 46.

The complainant's second allegation, to the effect that the contributions from ten of the foregoing listed individuals were not made from their personal funds, is without merit. Attention is called to the fact that the contributions from Britta Lynn Facer

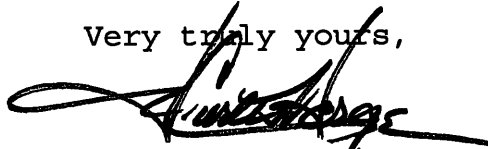
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were drawn on her personal checking account (Tab 14); that the contributions from Rily Todd Facer were drawn on his personal checking account (Tab 18); and that LeNae Lichfield (Tab 30), Loni Lichfield (Tab 31), Lyndee Lichfield (Tab 32), Reagan Lichfield (Tab 34), Robbie Lichfield (Tab 35), Roger Lichfield (Tab 37), Stephanie Lichfield (Tab 38), and Tavia Lichfield (Tab 39) each confirmed to John Swallow for Congress, Inc., in signed statements, that their respective contributions were made from their personal funds.

In conclusion, all the contributions from the forty-six individuals listed in the complaint were within the lawful limits and were made from lawful funds. The documents which support that conclusion are clear and convincing and they demonstrate that the compliance systems established and implemented by John Swallow for Congress, Inc. and Stanley R. deWaal, its treasurer, were exemplary. As a result, it is respectfully submitted the Federal Election Commission should take no further action and close the file on this matter.

Very truly yours,



J. Curtis Herge  
Counsel to John Swallow for  
Congress, Inc. and Stanley R.  
deWaal, its treasurer

:sbl

cc: John Swallow for Congress, Inc.  
(with copy of enclosure)